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House bill
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Introduced by Mr. KIRBY, of Sampson.

W. W. Holden, Printer to the State.

A BILL FOR ENABLING THE GOVERNOR TO
CAUSE PROVISIONS AND ARTICLES OF CLOTH-
ING TO BE SEIZED FOR THE PUBLIC USE.

SECTION 1. *Be it enacted by the General Assembly of the*
2 *State of North Carolina, and it is hereby enacted by the*
3 *authority of the same,* That the Governor shall have pow-
4 er, when and so often as in his judgment the public in-
5 terest may demand, to cause to be seized to the public use,
6 corn or grain growing in the fields, or any other corn or
7 grain, pork or beef, either fresh, salted or smoked, fish, salt,
8 saltpetre or other dead victual whatsoever, cotton or
9 woolen goods, tobacco or any article of prime necessity;
10 and may in order to the execution of this power, appoint
11 any officer or officers, person or persons, to make from
12 time to time such seizures under such rules as he may pre-
13 scribe. And for ascertaining the price to be paid to the
14 owner or owners, their agent or attorney, for any such
15 articles so seized, the following method shall be observed :
16 Two persons shall be appointed one by the officer or per-
17 son making the seizure, and one by the owner or owners,
18 his or their agent or attorney, who having been sworn to
19 act justly and impartially in the premises, shall proceed to
20 estimate the fair value of the articles seized, and to cer-
21 tify the same under their hands and seals, and in case of
22 difference between them shall choose an umpire, who
23 shall in like manner make and certify such valuation, or
24 should the owner or owners, his or their agent or attorney
25 on being notified of such seizure, refuse or for the space

26 of three days neglect to name one to act in making such
27 valuation, then the person named by the officer or per-
28 son making the seizure, shall proceed by himself to make
29 and certify such valuation, or should the owner be un-
30 known or be absent from the State and have no known
31 agent or attorney therein, then the chairman of the court
32 of pleas and quarter sessions of the county, in which such
33 seizure shall be made, or if made in any incorporate city
34 or town, the mayor or chief officer thereof, shall name a
35 person for and in behalf of such owner or owners to act
36 in making such valuation, and the valuation made in man-
37 ner aforesaid shall be held to ascertain, conclusively, the
38 price to be paid for the articles so seized, and the certifi-
39 cate of such valuation shall be delivered to the owner or
40 owners, his or their agent or attorney, or if these shall be
41 absent or unknown, shall be deposited with the clerk of
42 such county court to or for his or their use, and such cer-
43 tificate shall entitle the party to payment of the valuation,
44 either from the officer or person making the seizure or at
45 the public treasury, and if such payment be refused, the
46 party shall be entitled to interest at the rate of six per ct.
47 per annum until payment shall be made; but if the party
48 shall refuse to receive payment in treasury notes of the
49 Confederate States or this State, or in current notes of the
50 banks of this State, he shall not be entitled to interest:
51 *Provided and it is hereby declared*, That no articles shall be
52 liable to seizure, which are held or possessed by any one
53 for his own personal use and that of his family and depend-
54 ents, or for the use of sick, disabled or poor and necessitous
55 persons or for other charitable use. By any seizure made
56 conformably to the provisions of this act, the property
57 in the things seized shall be immediately vested in the
58 State, without regard to any subsequent proceedings for
59 ascertaining the value thereof or for any other purpose.

SEC. 2. *Be it further enacted*, That the Governor shall
2 be, and he is hereby empowered, whenever, in his judg-
3 ment, the public interest may demand, to cause to be is-

4 sued his proclamation forbidding the transportation, be-
5 yond the limits of this State, either by rail, or by pub-
6 lic or private conveyance, any of the following named ar-
7 ticles: Salt, leather, cotton or woolen goods, corn or ba-
8 con; and whoever shall be found violating said procla-
9 mation, shall have their goods seized and disposed of ac-
10 cording to the provisions of the first section of this act.

SEC. 3. *Be it further enacted*, That the Governor shall
2 have power to draw on the public Treasury for such sums
3 of money as may be necessary to carry out the provisions
4 of this act.

SEC. 4. *And be it further enacted*, That this act shall
5 force during the present war only.

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It is also to be noted that the ...
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